STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI (for himself and Mr. STEVENS):

S. 2395. A bill to provide grants to strengthen State and local health care systems' response to domestic violence by building the capacity of health care professionals and staff to identify, address, and prevent domestic violence; to the Committee on Labor and Human Resources.

THE PRESCRIPTION FOR ABUSE ACT

Mr. DOMENICI. Mr. President, with the passage of the Violence Against Women Act in 1994, Congress recognized domestic violence as a serious threat to the health safety of women in this country. We successfully created vital programs to train the law enforcement and judicial communities to respond to domestic violence, and further supported important intervention programs. In some respects, however, we left the job only partially addressed. We failed to train and support the professionals that face victims of domestic violence on a daily basis: health care professionals and staff.

Today, I am pleased that Senator STEVENS is joining me in introducing a bill to fill that gap: ''The Prescription for Abuse Act—(Rx for Abuse Act).''

Health care professionals and staff are truly on the front lines of domestic violence work. Nearly four million American women are physically abused each year. While our shelters are always overwhelmed, not all women seek shelter. Not all victims call the police. But eventually, almost all victims seek medical care. Last year, the Department of Justice reported that more than one in three women who sought care in emergency rooms for violence-related injuries were injured by a current or former spouse, boyfriend, or girlfriend. And, while the impact on the health care system is immense, few health care settings have intervened in a comprehensive way to identify, treat, and prevent the violence that they see on a daily basis. Of particular interest reported to me by a New Mexico doctor, a significant number of office or emergency room visits are not detected as domestic violence-related because physicians and staff are not trained to properly identify the signs of a battered victim.

Domestic violence is repetitive in nature. According to 1993 data from the Bureau of Justice Statistics, one in five women victimized by their spouse or ex-spouse reported that they had been a victim of a series of at least three assaults in the prior six months. Unfortunately, the way the system currently works, the bones are set and the cuts stitched, but the patients are seldom asked about their injuries or referred to services that can help them stop the violence.

Health care providers, professionals, hospitals, emergency health care staff, physical therapists, and domestic violence organizations need to join forces to find ways to identify, address and document abuse. They need to work together to ensure the confidentiality and safety of victims, and to connect victims to available services.

Violence against women takes a tremendous toll on our health care system. Battering is a leading cause of injury to women and each year more than a million women seek medical attention because of it. Women who have been battered or sexually assaulted utilize the health care system at much higher rates than non-abused women, for a variety of health problems, including repeated injuries, stress-related disorders, depression, and other physical and mental illnesses. And battering during pregnancy increases the risk of premature, low birth weight, or stillborn babies. Health care providers and staff are often the first, and only, professionals to see a battered woman's injuries. They are in a unique position to identify abuse before it is reported and to intervene in a way that will result in a reduction in the morbidity and mortality caused by violence in the home. In far too many ways to enumerate, domestic violence is a health care issue. Training health care professionals and staff to recognize, intervene, and refer victims to additional assistance is the purpose of this bill.

As we are all aware, domestic violence knows no age, educational, economic, or socio-cultural barriers. It is evident in our smallest communities and our largest cities. In the sparsely-populated State of New Mexico, there are 26 domestic violence shelters that served more than 16,000 unduplicated clients last year. There were 11,400 non-resident shelter clients and 5,000 shelter residents, with 77,000 nights of shelter provided in one year alone. This represents a thirty-eight percent increase over a four-year period. The New Mexico Coalition Against Domestic Violence and the countless professionals who staff the shelters and clinics across the State know the extent and consequences of the horrific problem of domestic violence on children, women, and families.

I am proud to say that New Mexico is on the cutting edge of a strategy to begin the process of training health care professionals and staff to become more involved in this critical issue. Last month, a collaborative effort of the New Mexico Coalition Against Domestic Violence, the New Mexico Medical Society, and the New Mexico Department of Health, in partnership with the Family Violence Prevention Fund Health Initiative, pulled together teams from 15 hospitals across the State to train health care providers to identify and respond to the needs of domestic violence victims that they treat. Based on the ongoing work in my State, and similar work in Alaska, Senator STEVENS and I am introducing a bill to replicate such efforts around the country.

The bill establishes three and four-year demonstration grants to strengthen state and local health care systems' responses to domestic violence by building the capacity of health care professionals and staff to identify, address, and prevent domestic violence among their patients. It will give these health care professionals the training, tools, and support they need to confidently address the violence that affects their patients' health. The bill authorizes ten grants up to two million dollars each for statewide teams to develop four-year demonstration programs and ten grants up to $450,000 each for local teams to direct three-year local level demonstrations. Eligible state applicants are state health departments, domestic violence coalitions, or the state medical or health professionals' associations or societies, or other nonprofit or governmental entities that have a history of work on domestic violence.

Mr. President, there is no question that early intervention on the part of health professionals can decrease the morbidity and mortality that results from violence in the home. I am pleased to join with Senator STEVENS in introducing the ''Rx for Abuse Act,'' and I urge my colleagues to cosponsor this measure. I ask unanimous consent that the text of the bill be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2395

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GRANTS TO ADDRESS DOMESTIC VIOLENCE IN HEALTH CARE SETTINGS.

(a) IN GENERAL.—The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

''SEC. 319. GRANTS TO ADDRESS DOMESTIC VIOLENCE IN HEALTH CARE SETTINGS.

''(a) GENERAL PURPOSE GRANTS.—The Secretary, acting through the Office of Family Violence and Prevention Services of the Administration for Children and Families, may award grants to eligible State and local entities to strengthen the State and local health care system's response to domestic violence by building the capacity of health care professionals and staff to identify, address, and prevent domestic violence.

''(b) STATE GRANTS.—

''(1) IN GENERAL.—The Secretary may award grants under subsection (a) to entities eligible under paragraph (2) for the conduct of not to exceed 10 Statewide programs for the design and implementation of Statewide strategies to enable health care workers to improve the health care system's response to treatment and prevention of domestic violence as provided for in subsection (d).

''(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant under paragraph (1) an entity shall—

''(A) be a State health department, nonprofit State domestic violence coalition, State professional medical society, State health professional association, or other nonprofit or State entity with a documented history of effective work in the field of domestic violence;

''(B) demonstrate to the Secretary that such entity is representing a team of organizations and agencies working collaboratively

to strengthen the health care system's response to domestic violence; and

''(C) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) LIMITATION.—The Secretary may not award a grant to a State health department under paragraph (1) unless the State health department can certify that State laws, policies, and practices do not require the mandatory reporting of domestic violence by health care professionals and staff when the victim is an adult.

''(4) TERM AND AMOUNT.—A grant under this section shall be for a term of 4 years and for an amount not to exceed $2,000,000 for each such year.

''(c) LOCAL DEMONSTRATION GRANTS.—

''(1) IN GENERAL.—The Secretary may award grants under subsection (a) to entities eligible under paragraph (2) for the conduct of not to exceed 10 demonstration projects for the design and implementation of a strategy to improve the response of local health care professionals and staff to the treatment and prevention of domestic violence.

''(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant under paragraph (1) an entity shall—

''(A) be a local health department, local nonprofit domestic violence organization or service provider, local professional medical society or health professional association, or other nonprofit or local government entity that has a documented history of effective work in the field of domestic violence;

''(B) demonstrate to the Secretary that such entity is representing a team of organizations working collaboratively to strengthen the health care system's response to domestic violence; and

''(C) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) TERM AND AMOUNT.—A grant under this section shall be for a term of 3 years and for an amount not to exceed $450,000 for each such year.

''(d) USE OF FUNDS.—Amounts provided under a grant under this section shall be used to design and implement comprehensive Statewide and local strategies to improve the health care setting's response to domestic violence in hospitals, clinics, managed care settings, emergency medical services, and other health care systems. Such a strategy shall include—

''(1) the development, implementation, and dissemination of policies and procedures to guide health care professionals and staff responding to domestic violence;

''(2) the training of, and providing follow-up technical assistance to, health care professionals and staff to screen for domestic violence, and then to appropriately assess, record in medical records, treat, and refer patients who are victims of domestic violence to domestic violence services;

''(3) the implementation of practice guidelines for widespread screening and recording mechanisms to identify and document domestic violence, and the institutionalization of such guidelines and mechanisms in quality improvement measurements such as patient record reviews, staff interviews, patient surveys, or other methods used to evaluate and enhance staff compliance with protocols;

''(4) the development of an on-site program to address the safety, medical, mental health, and economic needs of patients who are victims of domestic violence achieved either by increasing the capacity of existing health care professionals and staff to address these issues or by contracting with or hiring domestic violence advocates to provide the services;

''(5) the development of innovative and effective comprehensive approaches to domestic violence identification, treatment, and prevention models unique to managed care settings, such as—

''(A) exploring ways to include compensated health care professionals and staff for screening and other services related to domestic violence;

''(B) developing built-in incentives such as billing mechanisms and protocols to encourage health care professionals and staff to implement screening and other domestic violence programs; and

''(C) contracting with community agencies as vendors to provide domestic violence victims access to advocates and services in health care settings; and

''(6) the collection of data, implementation of patient and staff surveys, or other methods of measuring the effectiveness of their programs and for other activities identified as necessary for evaluation by the evaluating agency.

''(e) EVALUATION.—The Secretary may use not to exceed 5 percent of the amount appropriated for a fiscal year under subsection (e) to evaluate the economic and health benefits of the programs and activities conducted by grantees under this section and the extent to which the institutionalization of protocols, practice guidelines, and recording mechanisms has been achieved.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

''(A) $24,500,000 for each of the fiscal years 2000 through 2002; and

''(B) $20,000,000 for fiscal year 2003.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.''.

(b) TECHNICAL AMENDMENT.—Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10405(a)) is amended—

(A) by striking ''an employee'' and inserting ''one or more employees''; and

(B) by striking ''individual'' and inserting ''individuals''.

By Mr. LUGAR:

S. 2396. A bill to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to establish a pilot program under which milk producers and cooperatives will be permitted to enter into forward price contracts with milk handlers; to the Committee on Agriculture, Nutrition, and Forestry.

DAIRY FORWARD PRICING PILOT PROGRAM

● Mr. LUGAR. Mr. President, I introduce legislation which will help the dairy industry manage price volatility. The bill requires the Secretary of Agriculture to establish a pilot program under which milk producers and cooperatives will be permitted to enter into forward price contracts with milk handlers.

The Federal Agriculture Improvement and Reform Act of 1996 required the U.S. Department of Agriculture to consolidate the federal milk marketing orders by April 1999, to phase out the dairy price support program by January 1, 2000, and replace it with a recourse loan program for commercial dairy processors by January 1, 2000, and authorizes reforms in the federal milk marketing order system. Movement toward a more market-oriented dairy industry was supported on a bipartisan basis in the House and Senate.

At a July 29, 1997, Senate Agriculture Committee hearing, witnesses testified that price volatility exists in the dairy industry as it does for other agricultural commodities. However, in the case of the dairy industry, the tools to manage price risk are less developed and the knowledge of how to use risk management techniques is below that of most other food commodities.

On January 2, 1998, and again on February 25, 1998, I wrote Secretary of Agriculture Glickman recommend modification of federal milk marketing orders to permit proprietary handlers of milk to offer dairy producers forward contracts for milk. The department interprets the applicable statute as prohibiting the offering of forward contracts because the contracts would violate a requirement to pay producers a minimum price.

The legislation I introduce today authorizes the Secretary of Agriculture to conduct a three-year pilot program for forward pricing of milk. Under the program, milk handlers and producers could voluntarily enter into fixed price contracts for specific volume of milk for an agreed upon period of time. It is intended that the Secretary of Agriculture review the forward pricing contracts to ensure that the contracts are consistent with all existing fair agricultural trade practices.

Mr. President, it is important that dairy producers and processors be afforded risk management tools. I believe this legislation will assist in that effort and I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2396

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DAIRY FORWARD PRICING PILOT PROGRAM.

The Agricultural Adjustment Act (7 U.S.C. 601 et seq.), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''SEC. 23. DAIRY FORWARD PRICING PILOT PROGRAM.

''(a) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of Agriculture shall establish a pilot program under which milk producers and cooperatives are authorized to voluntarily enter into forward price contracts with milk handlers.

''(b) MINIMUM MILK PRICE REQUIREMENTS.—Payments made by milk handlers to milk producers and cooperatives, and prices received by milk producers and cooperatives, under the forward contracts shall be deemed to satisfy all regulated minimum milk price requirements of paragraphs (A), (B), (C), (D), (F), and (J) of subsection (5), and subsections (7)(B) and (18), of section 8c.

''(c) APPLICATION.—This section shall apply only with respect to the marketing of federally regulated milk (regardless of its use)

that is in the current of interstate or foreign commerce or that directly burdens, obstructs, or affects interstate or foreign commerce in federally regulated milk.

''(d) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates 3 years after the date of the establishment of the pilot program under subsection (a).''.●

By Mr. GRAHAM (for himself, Mr. COVERDELL, Mr. TERRICELLI and Mrs. FEINSTEIN):

S. 2397. A bill to amend the Internal Revenue Code of 1986 to allow issuance of tax-exempt private activity bonds to finance public-private partnership activities relating to school facilities in public elementary and secondary schools, and for other purposes; to the Committee on Finance.

PUBLIC SCHOOL CONSTRUCTION PARTNERSHIP ACT

● Mr. GRAHAM. Mr. President, teachers, students, parents, and school administrators know that the United States faces a school infrastructure crisis. Many of our schools are more than 50 years old and crumbling, and the General Accounting Office estimates that it will cost about $112 billion to bring them into good repair. Moreover, this estimate does not take into account the need for new construction. The U.S. Department of Education projects that some 1.9 million more students will be entering schools in the next 10 years. At current prices, it will cost about $73 billion to build the new schools needed to educate this growing student population. Mr. President, I might add that my own State is gaining 60,000 new students each year. By the end of the decade, Florida's student enrollment will have increased 25 percent more than the population as a whole.

Education is rightfully a state and local matter, but the Federal government can play a helpful, non-intrusive role in assisting communities overwhelmed by explosive increases in student enrollment. We at the Federal level should help empower local school districts to find innovative, cost effective ways to finance new schools and repair aging ones. Let me quote Mr. Roger Cuevas, who is the superintendent of schools for Miami-Dade County, FL:

> It is important that financing options be defined in as flexible a manner as possible and especially not be limited to general obligation bonds . . . Flexibility in the choice of the type of eligible debt financing, as well as the capacity of the program to adapt to state-by-state differences are as critical to all school districts in the Nation as is its funding level.

The bill I am introducing today providing new flexibility to state and local efforts to finance new schools and repair older ones. The first provision provides for public school construction the same financing opportunities which are currently available in a wide variety of other public-need areas namely, airports, seaports, mass transit facilities, water and sewer facilities, solid waste, disposal facilities, qualified residential rental projects, local furnishing of electric energy and gas, heating and cooling facilities, qualified hazardous waste facilities, high-speed inter-city rail facilities and environmental enhancements, of hydroelectric generating facilities. In all of these 10 separate areas, the U.S. Congress has provided assistance in the financing through what is known as private activity bonds.

This bill adds public schools in this list. Mr. President, this legislation was part of Senator COVERDELL's A Plus Savings Account bill that was passed by the Senate earlier this session. Unfortunately, this important provision was eliminated by a House-Senate Conference Committee. Mr. President, we now have another chance to do something constructive for our public schools. A recent article in the Washington Post reported that education is one of the American people's highest priorities. It should be one of our highest priorities too.

This legislation provides to each state the opportunity to issue tax-exempt private activity bonds to finance construction of public schools. These bonds would be administered at the state level, just as are the other 10 categories of private activity bonds. States containing school districts experiencing high growth would be allowed to issue bonds each year in an amount equal to $10 multiplied by the population of the state. For example, if a state with high-growth school districts has a population of 5 million, it could issue up to $50 million of bonds to finance school construction. A high-growth school district is one with an enrollment of at least 5,000 students and the enrollment has grown by at least 20 percent during the five years previous to the year of bond issue. According to the U.S. Department of Education, 286 school districts located throughout the Nation currently meet high-growth qualifications.

This proposal puts decisionmaking at the local level. Each state would decide how to allocate its bonding authority among its high-growth school districts. The state or local education authority would enter into an agreement—with the most favorable terms it could negotiate—with a private corporation to build schools. The state would issue the bonds, but the private corporation would be responsible for servicing the debt on the bonds. The state or local education authority would then lease back the facility. Ownership of the facility would revert to the state or local education authority upon retirement of the bonds.

There are multiple benefits to permitting states and local school districts to enter into partnerships with private corporations to build schools. First, this mechanism can reduce construction time. For example, it would take a school district issuing $4 million of general obligation bonds each year, using the traditional ''pay-as-you-go'' approach, about 11 years to finance the construction of three typical schools. The lease back mechanism permitted through the use of private activity bonds could result in building three schools within three years of issuing the bonds. Perhaps just as important, this arrangement would permit the use of facilities for other worthwhile purposes when school is not in session.

The other component to this legislation provides relief to small or rural school districts issuing bonds for school construction. Under current law, issuers of school construction bonds worth less than $10 million are exempt from the arbitrage rebate rules. This bill raises that exemption to $15 million, providing relief from burdensome Federal regulations to even more school districts.

Mr. President, I urge my colleagues to support these modest proposals to provide some much needed assistance to our public schools.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Public School Construction Partnership Act''.

SEC. 2. TREATMENT OF QUALIFIED PUBLIC EDUCATIONAL FACILITY BONDS AS EXEMPT FACILITY BONDS.

(a) TREATMENT AS EXEMPT FACILITY BOND.—Subsection (a) of section 142 of the Internal Revenue Code of 1986 (relating to exempt facility bond) is amended by striking ''or'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', or'', and by adding at the end the following:

''(13) qualified public educational facilities.''

(b) QUALIFIED PUBLIC EDUCATIONAL FACILITIES.—Section 142 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(k) QUALIFIED PUBLIC EDUCATIONAL FACILITIES.—

''(1) IN GENERAL.—For purposes of subsection (a)(13), the term 'qualified public educational facility' means any school facility which is—

''(A) part of a public elementary school or a public secondary school,

''(B) except as provided in paragraph (6)(B)(iii), located in a high-growth school district, and

''(C) owned by a private, for-profit corporation pursuant to a public-private partnership agreement with a State or local educational agency described in paragraph (2).

''(2) PUBLIC-PRIVATE PARTNERSHIP AGREEMENT DESCRIBED.—A public-private partnership agreement is described in this paragraph if it is an agreement—

''(A) under which the corporation agrees—

''(i) to do 1 or more of the following: construct, rehabilitate, refurbish, or equip a school facility, and

''(ii) at the end of the contract term, to transfer the school facility to such agency for no additional consideration, and

''(B) the term of which does not exceed the term of the underlying issue.

''(3) SCHOOL FACILITY.—For purposes of this subsection, the term 'school facility' means—

''(A) school buildings,

''(B) functionally related and subordinate facilities and land with respect to such buildings, including any stadium or other facility primarily used for school events, and

''(C) any property, to which section 168 applies (or would apply but for section 179), for use in the facility.

''(4) PUBLIC SCHOOLS.—For purposes of this subsection, the terms 'elementary school' and 'secondary school' have the meanings given such terms by section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801), as in effect on the date of the enactment of this subsection.

''(5) HIGH-GROWTH SCHOOL DISTRICT.—For purposes of this subsection, the term 'high-growth school district' means a school district established under State law which had an enrollment of at least 5,000 students in the second academic year preceding the date of the issuance of the bond and an increase in student enrollment of at least 20 percent during the 5-year period ending with such academic year.

''(6) ANNUAL AGGREGATE FACE AMOUNT OF TAX-EXEMPT FINANCING.—

''(A) IN GENERAL.—An issue shall not be treated as an issue described in subsection (a)(13) if the aggregate face amount of bonds issued by the State pursuant thereto (when added to the aggregate face amount of bonds previously so issued during the calendar year) exceeds an amount equal to the greater of—

''(i) $10 multiplied by the State population, or

''(ii) $5,000,000.

''(B) ALLOCATION RULES.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the State may allocate in a calendar year the amount described in subparagraph (A) for such year in such manner as the State determines appropriate.

''(ii) RULES FOR CARRYFORWARD OF UNUSED AMOUNT.—With respect to any calendar year, a State may make an election under rules similar to the rules of section 146(f), except that the sole carryforward purpose with respect to such election is the issuance of exempt facility bonds described in section 142(a)(13).

''(iii) SPECIAL ALLOCATION RULE FOR SCHOOLS OUTSIDE HIGH-GROWTH SCHOOL DISTRICTS.—A State may elect to allocate an aggregate face amount of bonds not to exceed $5,000,000 from the amount described in subparagraph (A) for each calendar year for qualified public educational facilities without regard to the requirement under paragraph (1)(A).''

(c) EXEMPTION FROM GENERAL STATE VOLUME CAPS.—Paragraph (3) of section 146(g) of the Internal Revenue Code of 1986 (relating to exception for certain bonds) is amended—

(1) by striking ''or (12)'' and inserting ''(12), or (13)'', and

(2) by striking ''and environmental enhancements of hydroelectric generating facilities'' and inserting ''environmental enhancements of hydroelectric generating facilities, and qualified public educational facilities''.

(d) EXEMPTION FROM LIMITATION ON USE FOR LAND ACQUISITION.—Section 147(h) of the Internal Revenue Code of 1986 (relating to certain rules not apply) is amended—

(1) by adding at the end the following:

''(3) EXEMPT FACILITY BONDS FOR QUALIFIED PUBLIC-PRIVATE SCHOOLS.—Subsection (c) shall not apply to any exempt facility bond issued as part of an issue described in section 142(a)(13) (relating to qualified public-private schools).'', and

(2) by striking ''MORTGAGE REVENUE BONDS, QUALIFIED STUDENT LOAN BONDS, AND QUALIFIED 501(C)(3) BONDS'' in the heading and inserting ''CERTAIN BONDS''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after December 31, 1998.

SEC. 3. ADDITIONAL INCREASE IN ARBITRAGE REBATE EXCEPTION FOR GOVERNMENTAL BONDS USED TO FINANCE EDUCATION FACILITIES.

(a) IN GENERAL.—Section 148(f)(4)(D)(vii) of the Internal Revenue Code of 1986 (relating to increase in exception for bonds financing public school capital expenditures) is amended by striking ''$5,000,000'' the second place it appears and inserting ''$10,000,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to obligations issued after December 31, 1998.●

By Ms. MOSELEY-BRAUN:

S. 2399. A bill to suspend temporarily the duty on certain drug substances used as an HIV antiviral drug; to the Committee on Finance.

TARIFF ELIMINATION LEGISLATION

● Ms. MOSELEY-BRAUN. Mr. President, today I introduce a bill to eliminate the tariffs on two chemicals, TIC–A and TIC–C, used in the production of protease inhibitors. Protease inhibitors are critical components of the ''cocktail'' therapy used for the treatment of the HIV virus that causes AIDS.

Protease inhibitors have revolutionized the treatment regimen for HIV patients. Since Food and Drug Administration approval in 1996, protease inhibitors have become effective treatments for HIV patients. These treatments reduce the amount of virus in the blood stream of HIV patients to undetectable levels. The result of this treatment regimen is that most patients on the ''cocktail'' therapy have been able to resume active and productive lives.

Protease inhibitors are extremely sophisticated molecules and as a result are very difficult to manufacture. In addition, they are most effective only in high doses, making the treatment regimen very costly. Duty elimination of protease inhibitor raw materials, like TIC–A and TIC–C, will help reduce the costs associated with the production of the treatments.

Mr. President, I ask unanimous consent that the entire text of the bill be placed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2399

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY DUTY SUSPENSIONS ON CERTAIN HIV DRUG SUBSTANCES.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new headings:

''9902.32.14	(S)-N-tert-butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide (CAS No. 149182–72–9)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99
9902.32.16	(S)-N-tert-butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide hydrochloride salt (CAS No. 149057–17–0)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99
9902.32.18	(S)-N-tert-butyl-1,2,3,4-tetrahydro-3-isoquinoline carboxamide sulfate salt (CAS No. 186537–30–4)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99
9902.32.20	(3S)-1,2,3,4-tetrahydroisoquinoline-3-carboxylic acid (CAS No. 74163–81–8)(provided for in subheading 2933.40.60)	Free	No change	No change	On or before 6/30/99''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

By Mr. SPECTER:

S. 2401. A bill to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to Valley Forge National Historical Park; to the Committee on Energy and Natural Resources.

PAOLI BATTLEFIELD SITE LEGISLATION

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania to Valley Forge National Historical Park. The Paoli Massacre was an important chapter in the British campaign to capture Philadelphia in 1777. More than 50 American soldiers lost their lives when the British attacked and bayoneted General ''Mad'' Anthony Wayne's forces at Paoli Battlefield. Accordingly, this land needs to be preserved as an important part of Pennsylvania's history and our nation's history.

Congressman CURT WELDON has introduced this legislation in the House of Representatives and we are working together with the local community toward enactment of this bill prior to adjournment. The issue is quite simple. The Paoli Battlefield is an unprotected Revolutionary War site that is privately owned by the Malvern Preparatory School. The School intends to sell the land in order to strengthen its endowment, but officials agreed to give the community a chance to purchase the land for historical preservation purposes. Thus, the Paoli Battlefield will become open to residential or commercial development if $2.5 million is not raised by next year to purchase the land. Our bill envisions a combination of public and private financing to purchase the battlefield and link it to the protected lands known as Valley Forge National Historical Park. Specifically, the bill authorizes a purchase price of $2.5 million with not less than $1 million in nonfederal funds.

Too many important historical sites, especially Revolutionary War battlefields, have already been lost to residential and commercial development. The citizens of Malvern, through the Paoli Battlefield Preservation Fund, have already raised in excess of $1 million to acquire the site. Thus, if the expected $2.5 million price is maintained, adding the Paoli Battlefield to Valley Forge National Historical Park would cost the federal government no more than $1.5 million. The bill also authorizes the Secretary of the Interior to enter into a cooperative agreement with the Borough of Malvern, which has agreed to manage the 45-acre site in perpetuity, thereby ensuring that Valley Forge will not have to expend additional federal resources for Park operations on the Paoli Battlefield.

Mr. President, this Congress has made a commitment to protecting battlefield sites. I have been pleased to support these efforts as well as the effort to obtain funding in the FY99 Interior and Related Agencies Appropriations bill to conduct the Revolutionary War and War of 1812 Historic Preservation Study. Paoli Battlefield played an important role in the Revolutionary War, and I therefore urge my colleagues to support this effort to protect an important piece of American history. Simply put, in a $1.7 trillion federal budget, I believe that we should be able to find a maximum of $1.5 million in federal funds to preserve a rich part of our history.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 2402. A bill to direct the Secretary of Agriculture to convey certain lands in San Juan County, New Mexico, to San Juan College; to the Committee on Agriculture, Nutrition, and Forestry.

THE OLD JICARILLA ADMINISTRATIVE SITE CONVEYANCE ACT OF 1998

Mr. DOMENICI. Mr. President, today I am introducing a bill to direct the Secretary of Agriculture to convey a ten acre parcel of land, known as the old Jicarilla administrative site, to San Juan College. This legislation will provide long-term benefits for the people of San Juan County, New Mexico, and especially the students and faculty of San Juan College.

This legislation allows for transfer by the Secretary of Agriculture real property and improvements at an abandoned and surplus administrative site of the Carson National Forest to San Juan College. The site is known as the old Jicarilla Ranger District Station, near the village of Gobanador, New Mexico. The Jicarilla Station will continue to be used for public purposes, including educational and recreational purposes of the college.

Mr. President, the Forest Service has determined that this site is of no further use to them, since the Jicarilla District Ranger moved into a new administrative facility in the town of Bloomfield, New Mexico. The facility has had no occupants for several years, and it is my understanding that the Forest Service reported to the General Services Administration that the improvements on the site were considered surplus, and would be available for disposal under their administrative procedures.

This legislation is patterned after S. 1510, approved by the Senate earlier this month, by which the property and improvements of a similarly abandoned Forest Service facility in New Mexico will be transferred to Rio Arriba County. The administration has indicated its support for the passage of that bill, and I hope that this bill will gain their support, as well.

Mr. President, since the Forest Service has no interest in maintaining Federal ownership of this land and the surplus facilities, and San Juan College could put this small tract to good use, this legislation is a win-win situation for the federal government and northwestern New Mexico. I look the Senate's rapid consideration of this legislation, and urge my colleagues to support its passage.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OLD JICARILLA ADMINISTRATIVE SITE.

(a) CONVEYANCE OF PROPERTY.—Not later than one year after the date of enactment of this Act, the Secretary of Agriculture (herein ''the Secretary'') shall convey to San Juan College, in Farmington, New Mexico, subject to the terms and conditions under subsection (c), all right, title, and interest of the United States in and to a parcel of real property (including any improvements on the land) consisting of approximately ten acres known as the ''Old Jicarilla Administrative Site'' located in San Juan County, New Mexico (T29N; R5W; Section 29 Southwest of Southwest ¼).

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and the President of San Juan College. The cost of the survey shall be borne by San Juan College.

(c) TERMS AND CONDITIONS.—

(1) Notwithstanding exceptions of application under the Recreation and Public Purposes Act (43 U.S.C. 869(c)), consideration for the conveyance described in subsection (a) shall be—

(A) an amount that is consistent with the Bureau of Land Management special pricing program for Governmental entities under the Recreation and Public Purposes Act; and,

(B) an agreement between the Secretary and San Juan College indemnifying the Government of the United States from all liability of the Government that arises from the property.

(2) The lands conveyed by this Act shall be used for educational and recreational purposes. If such lands cease to be used for such purposes, at the option of the United States, such lands will revert to the United States.

SAN JUAN COLLEGE,
OFFICE OF THE PRESIDENT,
Farmington, NM, August 21, 1997.

Hon. PETE V. DOMENICI,
U.S. Senate,
Washington, DC.

DEAR SENATOR DOMENICI: The United States Forest Service has indicated a willingness to turn some property over to San Juan College. The property was formerly the Carson National Forest Jicarilla District Visitor Center Site. It is located in Gobernador and was formerly the headquarters for the Forest Service for this area. The office has subsequently moved into Bloomfield, and the property has had no occupants for several years.

At the suggestion of Phil Settles, the Forest Service Director, I would like to request that some legislation be introduced that would allow for the transfer of the property from the Forest Service to San Juan College. The College would use the area for educational and recreational purposes. A description of the property is attached.

Please let me know what additional steps must be taken in order to expedite the transfer. Thank you very much.

Sincerely,

JAMES C. HENDERSON, Ed.D.

By Mr. SANTORUM:

S. 2403. A bill to prohibit discrimination against health care entities that refuse to provide, provide coverage for, pay for, or provide referrals for abortions; to the Committee on Labor and Human Resources.

THE HEALTH CARE ENTITY PROTECTION ACT

● Mr. SANTORUM. Mr. President, I am introducing legislation today that will offer protection from government discrimination to health care providers who have religious or moral objections to performing abortions.

As HCFA prepares to implement the Medicare+Choice program, the need for this bill has become evident. Congress created Medicare+Choice to give beneficiaries more options in their health plans. The Balanced Budget Act of 1997 (BBA) requires all health care providers who participate in the program to provide all services covered under Medicare Parts A and B, except hospice care. HCFA is interpreting this mandate to require coverage for abortion, consistent with the Hyde restrictions. The problem is that many religious health care systems—and even some secular providers—have strong misgivings about performing, providing coverage for, or paying for any elective abortions. Absent specific legislative clarification, these providers will be shut out of the Medicare+Choice program.

HCFA's interpretation of the BBA has come as a surprise to many health systems wishing to participate in the Medicare+Choice program. The issue of whether providers would have to cover abortion services was never addressed during last summer's extensive debate. Instead, this Congress focused on designing a program which would give seniors the broadest possible range of health care choices, so they could